

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Patent Application of:**

Jay M. Short

**Application No.:** 09/089,789

**Filed:** June 3, 1998

**For:** CONSTRUCTION AND USE OF  
CATALOGUED NUCLEIC ACID  
LIBRARIES THAT CONTAIN  
ADVANTAGEOUSLY ADJUSTED  
REPRESENTATIONS OF DEFINED  
COMPONENTS

**Confirmation No.:** 3204

**Art Unit:** 1635

**Examiner:** Sean McGarry

MS RCE  
Commissioner for Patents  
PO Box 1450  
Alexandria VA 22313-1450

**RCE RESPONSE TO FINAL OFFICE ACTION**

Dear Sir:

Responsive to the Final Office Action mailed December 30, 2009 (hereafter "the OA"), Applicants respectfully request entry of this RCE with Amendment and consideration of the Remarks set forth herein. A response was initially due March 30, 2010. A petition to extend time for 3 months to June 30, 2010, is enclosed. Accordingly, this response is timely filed.

This response is accompanied by a request for continued examination (RCE) under 37 C.F.R. §1.114. Thus, the finality of the outstanding final office action will be withdrawn and Applicants are entitled to have this first submission for this RCE entered and considered on the merits.

**Amendments to the claims** are reflected in the listing of claims beginning on page 3 of this paper.

**Remarks** begin on page 12 of this paper.

Transmitted herewith are the following documents:

- Transmittal and petition to extend time for 3 months;
- Terminal Disclaimer;

- Request for continued examination; and
- Statement under 37 C.F.R. § 3.73(b).